

EXHIBIT 1

INTRODUCTION

Respondent Sharon Martinez was an unsuccessful candidate for city council for the City of Monterey Park during the March 2, 1999 election. Friends to Elect Sharon Martinez for Monterey Park City Council was her controlled committee (hereinafter “the Committee”). Sally Martinez was the designated treasurer for the Committee.

For purposes of this Stipulation, the violations of the Political Reform Act (the “Act”)¹ are as follows:

Count 1: Failure to timely file a semi-annual campaign due by July 31, 1999, in violation of Government Code section 84200.

Respondents: Sharon Martinez, Friends to Elect Sharon Martinez for Monterey Park City Council, and Sally Martinez, treasurer.

SUMMARY OF THE LAW

COUNT 1

Section 84200 of the Act requires that elected officers, candidates, and committees file semi-annual campaign statements no later than July 31 for the period ending June 30, and no later than January 31 for the period ending December 31.

SUMMARY OF THE FACTS

COUNT 1

Ms. Martinez was an unsuccessful candidate for City of Monterey Park City Council during the March 2, 1999 election. Respondents timely filed pre-election statements covering the reporting periods January 1, 1999 through January 16, 1999, and January 17, 1999 through February 13, 1999. Following the election, Respondents should have filed a semi-annual statement for the reporting period February 14, 1999 through June 30, 1999, no later than July 31, 1999.

On July 1, 1999, the City Clerk for the City of Monterey Park sent a reminder notice to Sharon Martinez, reminding her that the semi-annual statement for the period “February 14, 1999 through June 30, 1999, is due by July 30, 1999 at 5:30 p.m.” The notice enclosed a blank semi-annual campaign statement (Form 490), a blank statement of termination (Form 415), and a copy of respondents’ previous filing. On August 3, 1999, the City Clerk sent a letter to Sharon Martinez

¹The Political Reform Act is contained in Government Code Sections 81000 through 91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations Section 18000, *et seq.* All references to regulations are to Title 2, Division 6 of the California Code of Regulations.

stating that the filing had not been received, requesting that the overdue statement be filed within 10 days, and stating that a fine of \$10 per day would be imposed. On September 3, 1999, the City Clerk sent another letter to Sharon Martinez, stating that the overdue statement had still not been filed, and if it was not filed within 10 days the matter would be referred to the Fair Political Practices Commission. The City Clerk also spoke with Sharon Martinez on August 28, 1999 regarding the overdue statement.

The matter was then referred to the Fair Political Practices Commission. On May 16, 2000, Political Reform Consultant Linda Moreaux left a message for Ms. Martinez at her home. On January 5, 2001, Investigator Kevin Batchelor spoke with Ms. Martinez, who stated that she had completed the campaign statement for the period of January 1, 1999 through June 30, 1999, and had terminated the committee. Ms. Martinez also stated that she had copies of the statements, but that they were in storage. She was asked to provide copies of these statements.

Respondents filed the overdue statements after being contacted by the Commission's Enforcement Division. Respondents' failure to file the campaign statement in a timely manner violated Government Code section 84211.

CONCLUSION

This matter consists of one count, which carries a maximum possible administrative fine of two thousand dollars (\$2,000). The facts of the case justify imposition of the agreed upon fine of one thousand dollars (\$1,000.00).